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June 25, 2019

VIA ECF

Hon. Nancy Hershey Lord
United States Bankruptcy Court, EDNY
Conrad B. Duberstein U.S. Courthouse
271-C Cadman Plaza East
Brooklyn, NY 11201-1800

In re: **In re Mitchell Lane NY LLC, Case No. 19-41320 (NHL),
Court Mandated Settlement Discussion**

Dear Judge Lord:

This office represents secured creditor PHH Mortgage as servicer for HSBC Bank USA (“Secured Creditor”) in the above-captioned matter. The purpose of this letter is to respond to the inaccuracies contained in the letter, dated June 25, 2019, docketed by counsel to the debtor Mitchell Lane (the “Debtor”) [the “Weinberg Letter”] (Dkt. No. 33).

Contrary to the Weinberg Letter, Secured Creditor has been making good faith efforts at attempting to follow the Court’s direction at the June 20, 2019 hearing (the “Hearing”). In fact, the undersigned communicated an offer of settlement to Debtor’s counsel on Monday, June 24, 2019 and requested the scheduling of an “in-person” meeting among Debtor, Debtor’s counsel and Secured Creditor as had been directed by the Court at the Hearing before Your Honor. Debtor’s counsel’s response to the settlement offer was that he will communicate the offer to the Debtor. Debtor’s counsel, however, refused to schedule an “in-person” meeting insisting that Your Honor had directed that we must first have a “telephonic meeting” and then follow-up same with an “in-person” meeting. The aforementioned communications between counsel took place yesterday, Monday, June 24, 2019 and this morning we left a voicemail with chambers requesting further clarification.

The Weinberg Letter grossly mischaracterizes the above by alleging that the undersigned “rebuffed” efforts to settle this matter. In fact, at the Hearing, Debtor’s counsel also mischaracterized his alleged attempts at reaching our office prior to filing the Debtor’s motion to value the subject property.

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To date, Debtor's counsel has not responded to Secured Creditor's offer of settlement and Debtor's counsel has refuses to schedule an "in-person" meeting with Secured Creditor. The undersigned will be out of the office June 26 to June 28, 2019 and will be available for an in-person meeting the week of July 1, 2019.

Respectfully submitted,

/s/ Cleo F. Sharaf-Green

Cleo F. Sharaf-Green, Esq.

cc:
Seth Weinberg, Esq. (via ecfl)